

• • R E M A R K S / A R G U M E N T S • •

The Official Action of April 5, 2004 has been thoroughly studied. Accordingly, the changes presented wherein for the application, considered together with the following remarks, are believed to be sufficient to place the application into condition for allowance.

By the present amendment, independent claim 1 has been changed to recite that substantially all of the superabsorbent polymer particles contained within the liquid-absorbent core are localized in a single zone at a lower portion of the liquid-absorbent core and that the single zone is substantially coextensive with the width of the liquid-absorbent core and along the bottom of the at least one groove with a higher concentration of the superabsorbent polymer particles within a vicinity of the at least one groove.

Support for this change can be readily found in the applicants' drawings, particular Figs. 2 and 4.

Also by the present amendment, dependent claim 4 has been changed to recite that the water-absorbent fibers form a thin layer so that a density of water-absorbent fiber in said thin layer is higher than a density of water-absorbent fibers around a depth of the liquid-absorbent core with the thin layer being in close contact with the absorbent and diffusive sheet.

Support for this change to dependent claim 4 can be found in Fig. 4 as noted by the Examiner on page 3 of the Official Action.

Entry of the changes to the claims is respectfully requested.

Claims 1-11 are pending in this application.

On page 2 of the Official Action the Examiner has noted that the proposed drawing correction submitted on June 12, 2003 has been approved and that corrected drawings are now required.

In response to the Examiner's request for corrected drawings, applicants are submitting herewith a Replacement Sheet that includes Fig.1 with the changes that were proposed to and approved by the Examiner.

On page 3 of the Official Action the Examiner as objected to the drawings under 35 U.S.C. §1.83(a). Under this objection the Examiner alludes to the discussion as to how the description of the distribution of fibers and particles within the core, i.e. locations and densities, is not consistent in the claims, drawings and disclosure.

It is believed that the changes made herein to independent claim 1 and dependent claim 4 address and overcome the Examiner's objection to the drawings on page 3, the corresponding objection to the disclosure on pages 3-4 and the corresponding rejection of claims 1-11 under 35 U.S.C. §112, second paragraph on pages 4-5 of the Official Action.

Claims 1-9 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,459,016 to Rosenfeld et al. in view of U.S. Patent No. 5,451,442 to Pieniak et al.

Claims 1-8, 10 and 11 were rejected under 35 U.S.C. §103(a) as being unpatentable over European Patent Application No. 1 023 884 to Rosenfeld in view of Pieniak et al.

For the reasons set forth below, it is submitted that all of the pending claims are allowable over the prior art of record and therefore, each of the outstanding rejections of the claims should properly be withdrawn.

Favorable reconsideration by the Examiner is earnestly solicited.

On page 5 of the Official Action the Examiner has provided a section in the Official Action that is titled *Claim Language Interpretation*. Under this section the Examiner notes that she has interpreted claim 1 as not requiring that the previously recited “single zone” be the only zone. This interpretation apparently considered that the previous recitation of “said water-absorbent fibers and superabsorbent polymer particles being disposed substantially uniformly in a single zone” did not exclude other (?) superabsorbent polymer particles from being provided in another zone.

In order to more clearly describe the present invention in the claims, independent claim 1 has been changed to recite that substantially all of the superabsorbent polymer particles contained within the liquid-absorbent core are localized in a single zone.

This language is believed to exclude prior art structures in which absorbent particles within an absorbent structure are localized, provided or arranged in more than one discrete zone.

Rosenfeld et al. ‘016 discloses an absorbent article that is provided with at least two high absorbency zones that comprise discrete layers that are spaced apart at different depths in the absorbent element.

Applicants’ invention as disclosed and claimed includes a liquid-absorbent core that has at least one compressed groove formed therein and superabsorbent polymer particles, substantially all

of which superabsorbent polymer particles are localized or contained in a single zone within the core at a lower portion of the core with a higher concentration of the superabsorbent polymer particles within a vicinity of the at least one groove.

The art recognizes that superabsorbent polymer particles develop “gel-blocking” which is a phenomenon that occurs when adjacent particles swell upon absorption of liquids and become packed tightly together and form a block or barrier to further liquid absorption/transfer.

Rosenfeld et al. ‘016 solve problems associated with gel-blocking by distributing a desired amount of superabsorbent polymer particles (enough to contain a predicted amount of liquid) in two or more spaced apart layers or “high absorbency zones.”

Pieniak et al. discloses an absorbent panel structure that is provided with “superabsorbent stripes 42” that are aligned along the length of the panel.

Pieniak et al. notes at column 2, lines 21-25 that “the structure of the absorbent layer containing superabsorbent material appears to be critical.”

Pieniak et al. accordingly broadly uniformly distributing superabsorbent particles throughout panel structure 14 or along a central zone, but preferably teach the use of discrete “spaced apart strips or bands 42 along the length of the panel.”

Applicants’ invention, as discussed on pages 6-7 involves a unique structure in which the liquid-absorbent core has at least one compressed groove formed therein and superabsorbent polymer particles, substantially all of which superabsorbent polymer particles are localized or contained a

single zone within the core at a lower portion of the core with a higher concentration of the superabsorbent polymer particles within a vicinity of the at least one groove.

This structure results in a unique function in which gel-blocking of the higher concentration of the superabsorbent polymer particles within the vicinity of the groove adds structural support to the groove and prevents the groove from being collapsing and still allows absorption of fluids by non-gel-blocked areas of the core which lie outside of the vicinity of the groove.

Neither Pieniak et al. or Rosenfeld et al. teach or suggest applicants' claimed structure.

Moreover, neither Pieniak et al. nor Rosenfeld et al. teach or suggest the unique function associated with applicants' claimed invention.

Accordingly, it is submitted that applicants' claimed invention is both structurally and functionally distinguishable over Pieniak et al. and Rosenfeld et al., considered alone or in combination together.

The Examiner's reliance upon Pieniak et al. to modify Rosenfeld '016 to employ tissue to wrap the core does not address or overcome the structural differences between Rosenfeld '884 which are discussed above.

European Patent Application No. 1 023 884 to Rosenfeld (Rosenfeld '884) teaches an absorbent article containing superabsorbent polymer particles in which "the lower 65% of the absorbent element is substantially free of superabsorbent polymer particles."

As noted above, applicants' independent claim 1 requires that the single zone which in which substantially all the superabsorbent particles contained within the core are localized is provided at a lower portion of the core.

Applicants' claimed invention is therefore structurally distinguishable from Rosenfeld '884.

The Examiner's further reliance upon Pieniak et al. to modify Rosenfeld '884 to employ tissue to wrap the core does not address or overcome the structural differences between Rosenfeld '884 which are discussed above.

Based upon the above distinctions between the prior art relied upon by the Examiner and the present invention, and the overall teachings of prior art, properly considered as a whole, it is respectfully submitted that the Examiner cannot rely upon the prior art as required under 35 U.S.C. §103 to establish a *prima facie* case of obviousness of applicants' claimed invention.

It is, therefore, submitted that any reliance upon prior art would be improper inasmuch as the prior art does not remotely anticipate, teach, suggest or render obvious the present invention.

It is submitted that the claims, as now amended, and the discussion contained herein clearly show that the claimed invention is novel and neither anticipated nor obvious over the teachings of the prior art and the outstanding rejections of the claims should hence be withdrawn.

Therefore, reconsideration and withdrawal of the outstanding rejection of the claims and an early allowance of the claims is believed to be in order.

It is believed that the above represents a complete response to the Official Action and reconsideration is requested.

Appl. No. 09/997,132
Amdt. Dated July 1, 2004
Reply to Office Action of April 5, 2004

If upon consideration of the above, the Examiner should feel that there remain outstanding issues in the present application that could be resolved; the Examiner is invited to contact applicants' patent counsel at the telephone number given below to discuss such issues.

To the extent necessary, a petition for an extension of time under 37 CFR §1.136 is hereby made. Please charge the fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 12-2136 and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael S. Gzybowski", written in a cursive style.

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